

# **EXHIBIT 53**

SUPREME COURT OF THE STATE OF NEW  
 YORK NEW YORK COUNTY

PRESENT:	HON. BARRY R. OSTRAGER	PART	IAS MOTION 61EFM
Justice			
-----X			
PACIFIC ALLIANCE ASIA OPPORTUNITY FUND L.P.,		INDEX NO.	652077/2017
Plaintiff,		MOTION DATE	
- v -		MOTION SEQ. NO.	011
KWOK HO WAN, a/k/a KWOK HO, a/k/a GWO WEN GUI, a/k/a GUO WENGUI, a/k/a GUO WEN-GUI, a/k/a WAN GUE HAOYUN, a/k/a MILES KWOK, a/k/a HAOYUN GUO, GENEVER HOLDINGS LLC, and GENEVER HOLDINGS CORPORATION,			
Defendants.		DECISION + ORDER ON MOTION	
-----X			
HON. BARRY R. OSTRAGER			

On October 15, 2020, the Court held oral argument via Microsoft Teams, with counsel for all parties participating, on plaintiff’s motion for a post-judgment restraining order pursuant to CPLR 5229 (motion 011). On September 15, 2020, the Court granted summary judgment in favor of plaintiff on liability, with damages and the issue of whether the corporate defendants are defendant Kwok’s alter egos to be determined at a later date. NYSCEF Doc. 549.

Plaintiff’s motion for a restraining order pursuant to CPLR 5229 is granted. Mr. Kwok is restrained from making or causing any sale, assignment, transfer, or interference with any property in which he has an interest, whether directly or indirectly, and from paying over or otherwise disposing of any debt now due or thereafter coming due to him subject to the exceptions set forth in CPLR 5222, in accordance with the proceedings on the record of October 15, 2020.

Specifically, Mr. Kwok and/or the registered owners of (1) the Residence at the Sherry-Netherland Hotel and (2) the yacht, “the Lady May” are restrained from making or causing any sale, assignment, transfer, or interference with those assets.

Plaintiff is entitled, under CPLR 5229, to take discovery into the above-identified assets as well as to seek discovery into any other assets that Mr. Kwok may own, whether directly or indirectly.

The next appearance will be a pre-trial conference on November 12, 2020 at 2:00 pm via Microsoft Teams.

October 15, 2020

DATE



BARRY R. OSTRAGER, J.S.C.

CHECK ONE:

☐ CASE DISPOSED
 ☒ GRANTED
 ☐ DENIED

APPLICATION:

☒ NON-FINAL DISPOSITION
 ☐ GRANTED IN PART
 ☐ OTHER

CHECK IF APPROPRIATE:

☐ SETTLE ORDER
 ☐ SUBMIT ORDER
 ☐ FIDUCIARY APPOINTMENT
 ☐ REFERENCE

☐ INCLUDES TRANSFER/REASSIGN